

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re:

LeClairRyan PLLC,

Debtor

Case No.: 19-34574-KRH

Chapter 7

**STIPULATION BY LYNN L. TAVENNER, AS TRUSTEE, REFLECTING
AGREED EXTENSIONS OF TIME WITH DESIGNATED FAO PARTIES**

Lynn L. Tavenner, not individually, but solely in her capacity as the duly appointed Chapter 7 trustee (the “Trustee”) of the bankruptcy estate of LeClairRyan PLLC (the “Debtor”) in the above-referenced Chapter 7 case (the “Bankruptcy Case”), and the parties listed in **Exhibit A** attached hereto (collectively, the “FAO Parties”) hereby stipulate (the “Stipulation”) as follows:

BACKGROUND

1. On September 3, 2019, the Debtor filed a voluntary petition under Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division (the “Bankruptcy Court”).
2. On October 4, 2019, the Debtor’s Bankruptcy Case was converted to a case under Chapter 7 of the Bankruptcy Code.
3. Upon conversion, Lynn L. Tavenner was appointed interim trustee and, as no trustee having been elected at the meeting of creditors, she continues to serve as Trustee.
4. On June 15, 2020, the Bankruptcy Court entered its *Order Approving Procedures and Permitting Trustee to Prosecute and Compromise FAO Actions* [Docket No. 533] (the “FAO Order”).

5. The procedures approved by the FAO Order authorize the Trustee to send demand letters (the “FAO Demands”) to former attorneys and others, including the FAO Parties. The FAO Order further requires that any recipient of such a demand letter may elect to participate in pre-complaint mediation (the “Pre-Complaint Mediation Election”), and that such election must be made within 14 days of the date of the demand letter.

6. The FAO Order also states that within 60 days after the date of the Pre-Complaint Mediation Election, the parties must have commenced the mediation process by (a) selecting a mutually agreeable mediator, (b) having executed a mediation agreement, and (c) having scheduled a date for mediation (the “Mediation Commencement Deadline”). That Mediation Commencement Deadline falls on or around February 3, 2021 for several of the FAO Parties.

7. Given that the parties identified in Exhibit A have entered into settlement discussions with the Trustee, including executing confidentiality agreements, the Trustee believes that a 45-day extension of the Mediation Commencement Deadline would be beneficial for the parties to continue negotiating a consensual resolution to the Trustee’s FAO Demands.

8. Notwithstanding the progress made between the Trustee and the FAO Parties with respect to the FAO Demands, given intervening holidays, issues related to the COVID-19 pandemic, and work schedules, additional time is needed to determine if there can be a consensual resolution without the assistance of a mediator.

9. The Trustee and the FAO Parties believe that the 45-day extension of the Mediation Commencement Deadline is warranted under the unique circumstances surrounding these FAO Demands.

10. The Trustee believes that there could be similar basis for extending additional Mediation Commencement Deadlines and, as such, also respectfully submits a process to accomplish the same.

STIPULATION

11. With respect to the FAO Parties, the Mediation Commencement Deadline is extended by 45 days from the current Mediation Commencement Deadline. Without further order of this Bankruptcy Court, the Mediation Commencement Deadline may be extended for additional parties by the Trustee's filing of supplemental Exhibits A to this Stipulation, listing additional individuals and relevant extended dates.

12. Except as expressly stated herein, the terms of the FAO Order are not affected by this Stipulation.

IT IS SO ORDERED

Date: _____
Richmond, Virginia

Honorable Kevin R. Huennekens
United States Bankruptcy Judge

I ask for this:

/s/ Brittany J. Nelson

Erika L. Morabito (VSB No. 44369)

Brittany J. Nelson (VSB No. 81734)

Jack G. Haake (VSB No. 87590)

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Counsel to Lynn L. Tavenner, Esq.,

Chapter 7 Trustee of Estate of LeClairRyan PLLC

CERTIFICATION OF ENDORSEMENT,
UNDER LOCAL BANKRUPTCY RULE 9022-1(C)

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Brittany J. Nelson

Brittany J. Nelson

Service List

Lynn L. Tavenner, Chapter 7 Trustee

Tavenner & Beran, PLC

20 North 8th Street, 2nd Floor

Richmond, VA 23219

S. Allan Adelman

128 Tanner Point Drive

Stevensville, MD 21666

Timothy Adelman

404 Queens Court

Stevensville, MD 21666

Philip Bonoli

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c/o Philip Bonoli

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Brooks Pierce
c/o Clinton Morse
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John Pirko
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Hanover, VA 23069

Bruin Richardson
523 Sleepy Hollow Road
Richmond, VA 23229

Ronald Sheff
5902 Roland Avenue
Baltimore, MD 21210

EXHIBIT A

FAO Parties

FAO Party	Current Mediation Commencement Deadline	Stipulated Mediation Commencement Deadline
S. Allan Adelman	February 3, 2021	March 22, 2021
Timothy Adelman	February 3, 2021	March 22, 2021
Philip Bonoli	February 3, 2021	March 22, 2021
Neal Brodsky	February 3, 2021	March 22, 2021
Andrew Cole	February 3, 2021	March 22, 2021
Michael Conway	February 3, 2021	March 22, 2021
Bernhard Gehlhar	February 3, 2021	March 22, 2021
John Hutchins	February 3, 2021	March 22, 2021
Robert McWhorter	February 3, 2021	March 22, 2021
Clinton Morse	February 3, 2021	March 22, 2021
John Pirko	February 3, 2021	March 22, 2021
Bruin Richardson	February 3, 2021	March 22, 2021
Ronald Sheff	February 3, 2021	March 22, 2021